



PTO/SB/17(09-00)

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 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL FOR FY 2002

TOTAL AMOUNT OF PAYMENT (\$)

740.00

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OCT 12 2001

Technology Center 2100

Complete if Known:

Application No. 09/164,898Filing Date October 1, 1998First Named Inventor Akiyama, J.Group Art Unit 2186Examiner Name Vital, P.Attorney Docket No. 042390.P3373

METHOD OF PAYMENT (check one)

- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name _____

CERTIFICATE OF MAILING

(37 C.F.R. § 1.8 (a))

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 if this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.

- Payment Enclosed:

 Check Money Order OtherOn October 3, 2001 Date of DepositSignature John Wiley

Name of Person Mailing Correspondence

Signature John WileyDate 10/3/01

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80
		Utility application filing fee	
		Design application filing fee	
		Plant filing fee	
		Reissue filing fee	
		Provisional application filing fee	
SUBTOTAL (1) \$ <u>740.00</u>			

2. EXTRA CLAIM FEES

Extra Claims	Fee from below	Fee Paid
Total Claims <u>- 20** =</u>	X <u>18.00</u>	= <u></u>
Independent Claims <u>- 3** =</u>	X <u>84.00</u>	= <u></u>
Multiple Dependent		= <u></u>

**Or number previously paid, if greater; For Reissues, see below.

Large Entity Small Entity

Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0.00

Docket No. 042390.P3373

Application No. 09/164,898

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity			
Fee	Fee	Fee	Fee	Fee Description	Fee Paid
Code	(\$)	Code	(\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
099	8,800	099	8,800	Request for inter partes reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	400	216	200	Extension for response within second month	
117	920	217	460	Extension for response within third month	
118	1,440	218	720	Extension for response within fourth month	
128	1,960	228	980	Extension for response within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application or unavoidably delayed payment of issue fee	
141	1,280	241	640	Petition to revive unintentionally abandoned application or unintentionally delayed payment of issue fee	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					
Other fee (specify)					

SUBTOTAL (3) \$0.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: Mark L. Watson

Signature: [Signature] Date: 10/3/01

Reg. Number: 46,322 Telephone Number: 303-740-1980 ext. 209



Our Docket No.: 042390.P3373

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
James E. Akiyama)
Application No: 09/164,898)
Filed: October 1, 1998)
For: Virtualized Striping Controller)

)

Examiner: Vital, P.

Art Unit: 2186

PRELIMINARY AMENDMENT

Box RCE
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant respectfully requests the Examiner to enter the following amendments and to consider the following remarks.

In the claims:

01 FC:103 36.00 CH
10/16/2001 LKINNARD 00000001 022666 09164898

Please cancel claims 1-3, and 7-18 without prejudice.

Please add the following new claims:

- (New) A system comprising:
an interface coupled to a system bus that communicates directly with a Basic
Input Output System (BIOS);
a first disk drive;
a second disk drive, the first and second disk drives each having data separator
electronics, data formatting electronics and head positioning electronics; and

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